

## Remarks

Claims 1–10 are pending in the captioned application.

The Examiner has required restriction under 35 U.S.C. § 121 and 372 to one of the following groups:

Group I, claim(s) 1–8, drawn to a method for selectively enriching/removing a serum albumin from a mixture of other compounds by contacting the mixture with a ligand.

Group II, claim(s) 9–10, drawn to a method for screening ligand structures.

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The Examiner states, “the inventions listed as groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: The method of group II lacks novelty (i.e., it is anticipated by a prior art reference). WO 98/08603 describes experiments performed in order to determine the efficiency of different ligands... The group II claims, which are directed to a method for screening for ligand structures that selectively bind serum albumin, are not considered novel over WO 98/08603. Thus, the special technical feature which links the claims does not provide a contribution over the art ...”

In response, Applicants elect, without traverse, to prosecute the invention of Group I, namely claims 1–8. While this election is made without traverse, Applicants wish to go on the record as saying they have not considered the Examiner’s arguments regarding the novelty of claims 9–10 in light of the cited PCT reference, and will not do so unless and until Applicants file a continuation application directed to the unelected claims. Applicants reserve the right to file such an application and to discuss novelty issues during the prosecution of those claims.

The Examiner has also stated, “this application also contains claims directed to the following patentably distinct species of the claimed invention.”

For R1 -R4- select ~~one~~ hydrogen, electron-withdrawing group, such as halogen or a lower alkyl group.

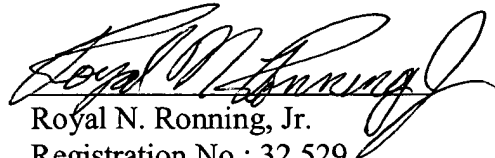
For Z and Y- select ~~one~~ from oxygen, sulphur or nitrogen.

In response, Applicants elect the species for Z and Y to be nitrogen, and for R1-R4 to be electron withdrawing groups.

In view of the foregoing, Applicants respectfully examination of the elected claims in light of the elected species. Applicants believe that claims 1–8, as currently drafted, are in allowable form and earnestly solicit their allowance.

Any questions with respect to the foregoing may be directed to Applicant's undersigned counsel at the telephone number listed below.

Respectfully submitted,

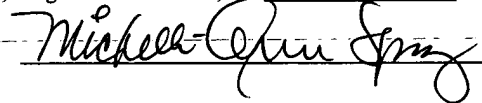
  
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on June 6, 2003.

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